?BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

%DATED: 02.11.2018

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
+Crl.O.P.(MD).No.19845 of 2018
and
Crl.M.P.(MD)No.9086 of 2018

#M.Kannan : Petitioner
Vs.
$1.State Rep. By the Inspector of Police,
Vadipatti Police Station,
Madurai District.
(Crime No.176 of 2016)

2.Baskaran : Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the proceedings in connection with Crime No.176 of 2016 on the file of the first respondent Police Station and quash the same as against the petitioner.

!For Petitioner : Mr.K.C.Ramalingam
^For R1 : Ms.Bharathi
Government Advocate[Criminal side]

:ORDER

This Criminal Original Petition has been filed to quash the proceedings in Crime No.176 of 2016 on the file of the first respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate [Criminal Side] appearing for the first respondent.

3. The learned counsel for the petitioner would submit that the defacto complainant has already given a statement to the Deputy Superintendent of Police, Samayanallur on 11.04.2016 to the effect that the name of the petitioner, who is arrayed as A3 in the FIR, has been wrongly added and his name should be deleted from the array of accused. According to the learned counsel for the petitioner inspite of the statement given by the second respondent, the respondent police has not acted upon and are continuing to keep the FIR pending by retaining the name of the petitioner.

4.In the facts and circumstances of the case, the first respondent is directed to act upon the statement given by the second respondent before the Deputy Superintendent of Police, Samayanallur dated 11.04.2016 and take appropriate action within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is also closed.

To

1.The Inspector of Police,
Vadipatti Police Station,
Madurai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.